



# BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • [www.columbus.gov](http://www.columbus.gov)

OFFICE USE ONLY

Application Number: # 13310-00000-00744  
Date Received: 7 Oct. 2013  
Commission/Civic: Use Village  
Existing Zoning: \_\_\_\_\_ Application Accepted by: HF Fee: \$315  
Comments: \_\_\_\_\_

## TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections.

Requesting variance from Title 33 - "3332.15 R-4 Area District Requirements." Requesting  
a lot split that will leave the remaining parcel below the minimum square foot area  
requirement. Note: current parcel is already below the minimum area requirement.

## LOCATION

I. Certified Address Number and Street Name 222-226 W. 2nd Avenue  
City Columbus State OH Zip 43201  
Parcel Number (only one required) 010-002726

## APPLICANT: (IF DIFFERENT FROM OWNER)

Name Michael R. Mahaney  
Address 1499 Perry St City/State Columbus OH Zip 43201  
Phone # 614-937-1884 Fax # \_\_\_\_\_ Email mmdeveloping LLC@gmail.com

## PROPERTY OWNER(S):

Name Joshua Wood  
Address P.O. Box 16 City/State Glenford OH Zip 43739  
Phone # 614-570-5848 Fax # \_\_\_\_\_ Email josh@jwaa interiors.com  
☐ Check here if listing additional property owners on a separate page.

## ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney ☐ Agent

Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Email: \_\_\_\_\_

## SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE Michael R. Mahaney  
PROPERTY OWNER SIGNATURE Joshua B. Wood  
ATTORNEY / AGENT SIGNATURE -N/A-

**PLEASE NOTE:** incomplete information will result in the rejection of this submittal.  
Applications must be submitted by appointment. Call 614-645-4522 to schedule.  
Please make all checks payable to the Columbus City Treasurer



# CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

13310-00000-00744

222-226 W. 2nd AVENUE

## One Stop Shop Zoning Report Date: Wed Oct 23 2013

General Zoning Inquiries: 614-645-8637

### SITE INFORMATION

Address: 222 W 2ND AVE COLUMBUS, OH

Mailing Address: PO BOX 16

GLENFORD OH 43739

Owner: WOOD JOSHUA B ET AL

Parcel Number: 010002726

### ZONING INFORMATION

Zoning: Z73-168, Multi-family, ARLD  
effective 1/9/1974, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: Victorian Village Commission

Planning Overlay: N/A

Historic District: Victorian Village

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

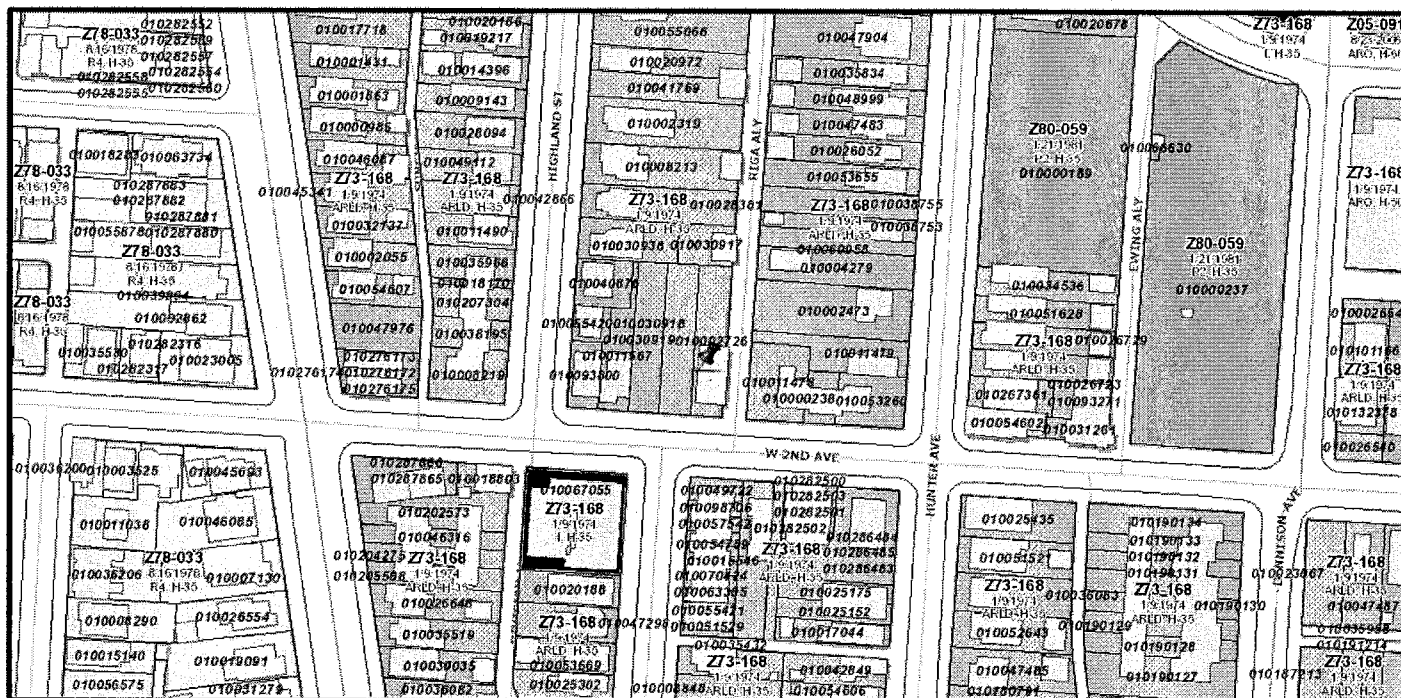
### PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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**13310-00000-00744**  
**222-226 W. 2nd AVENUE**

## AFFIDAVIT

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Michael R. Mahaney  
of (1) MAILING ADDRESS 1499 Perry Street Columbus, OH 43201  
deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the  
name(s) and mailing address(es) of all the owners of record of the property located at  
(2) per ADDRESS CARD FOR PROPERTY  
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building  
and Zoning Services, on (3) \_\_\_\_\_

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME  
AND MAILING ADDRESS

(4) Joshua Wood  
P.O. Box 16  
Glenford, OH

APPLICANT'S NAME AND PHONE #  
(same as listed on front of application)

Michael R. Mahaney  
614-937-1884

AREA COMMISSION OR CIVIC GROUP  
AREA COMMISSION ZONING CHAIR OR  
CONTACT PERSON AND ADDRESS

(5) Victorian Village Commission  
James A. Goodman  
50 West Gay St (Beacon Bldg)  
Columbus, OH 43215

and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS  
See attached typed list of property owners.

☒ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 7<sup>th</sup> day of October, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) Theresa M. Metz

My Commission Expires:

Theresa M. Metz

Notary Public, State of Ohio

My Commission Expires 02-16-2014



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### STATEMENT OF HARDSHIP

**13310-00000-00744**  
**222-226 W. 2nd AVENUE**

APPLICATION # \_\_\_\_\_

#### 3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
  2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
  3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
  4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

*See attached*

Signature of Applicant

Date

*9/26/2013*

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222-226 W. 2<sup>nd</sup> Ave  
Columbus, OH 43201

**13310-00000-00744**  
**222-226 W. 2nd AVENUE**

#### STATEMENT OF HARDSHIP

Owner and Applicant requests relief from Title 33 Zoning Code, 3332.15 R-4 Area District Requirements. The code specifies that a two-story, two-family dwelling should not be situated on a lot of no less than 6,000 sqft in area.

The Owner and Applicant are requesting relief from the above mentioned Zoning Code in order to split the lot at 222-226 W. 2<sup>nd</sup> Ave. The lot would be split into a 10' x 30' parcel to act as an alley/private drive, and the remaining 135.24' x 30' parcel would continue to serve as the parcel the dwelling is situated on. The remaining 0.093 acre parcel would be 4,057.2 sqft in size, which is less than the Zoning Code requirement of 6,000 sqft for a two-story, two-family dwelling unit.

\*\*\*It is key to note that the existing parcel of 145.24' x 30' is 4,357.2 sqft in size, which is already under the current Zoning Code requirement.

The purpose of this lot split is so that the adjoining vacant parcels at 228 and 232 W. 2<sup>nd</sup> Ave can be built with rear, detached garages with service from the new alley created by the 10' x 30' parcel. A hardship was created by the City of Columbus when the previously existing 10' alley was vacated under Ord. No. 452-70. This action essentially made the two parcels at 228 and 232 W. 2<sup>nd</sup> Ave "land locked" with no access to parking unless a curb cut and private driveway were developed directly off of W. 2<sup>nd</sup> Ave.

It is beneficial for the Applicant, Property Owner, the Victorian Village community, and the City of Columbus to allow variances to certain zoning restrictions to allow for high quality, architecturally sensitive new construction. Although a curb cut with a private driveway could be requested from the Victorian Village Commission in order to comply with off street parking rules for new residential construction, it is not preferred. The Victorian Village Commission explicitly stated their displeasure with the curb cut and private driveway because it is not appropriate or typical of the historical landscape in Victorian Village.

In summary, and most importantly, granting this variance request to allow the lot split at 222-226 W. 2<sup>nd</sup> Ave will not be injurious to neighboring properties or the community's inhabitants. The granting of this variance will not be contrary to the public interest. The granting of this variance will increase the architectural appeal of the historical district and allow the Applicant and Property Owner to utilize the parcels as they were intended before the alley was vacated by the City of Columbus.

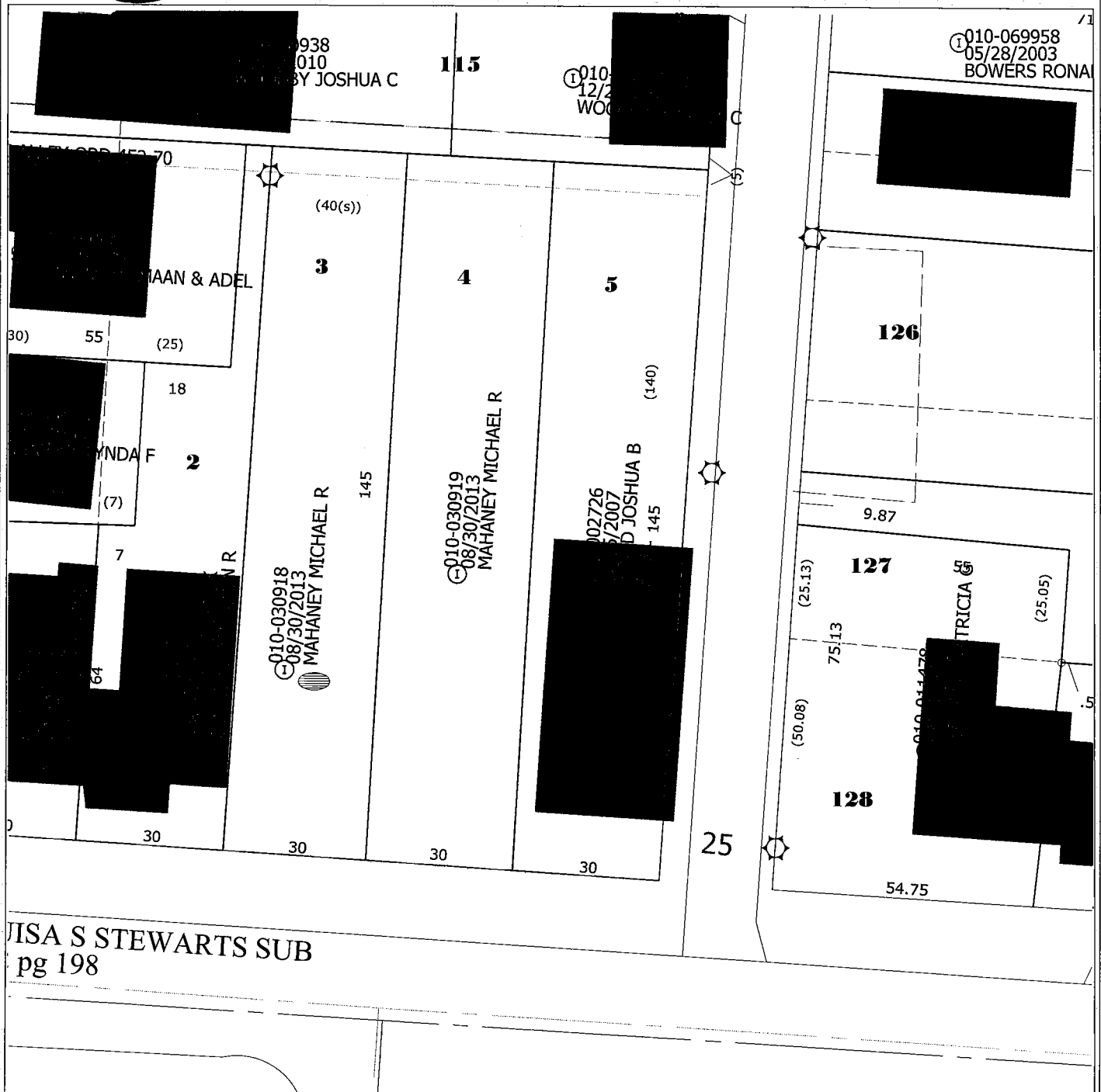


# CLARENCE E M FRANKLIN COUNTY

13310-00000-00744  
222-226 W. 2nd AVENUE

MAP ID: C

DATE: 10/4/13



LISA S STEWARTS SUB  
pg 198

Disclaimer

Scale = 30



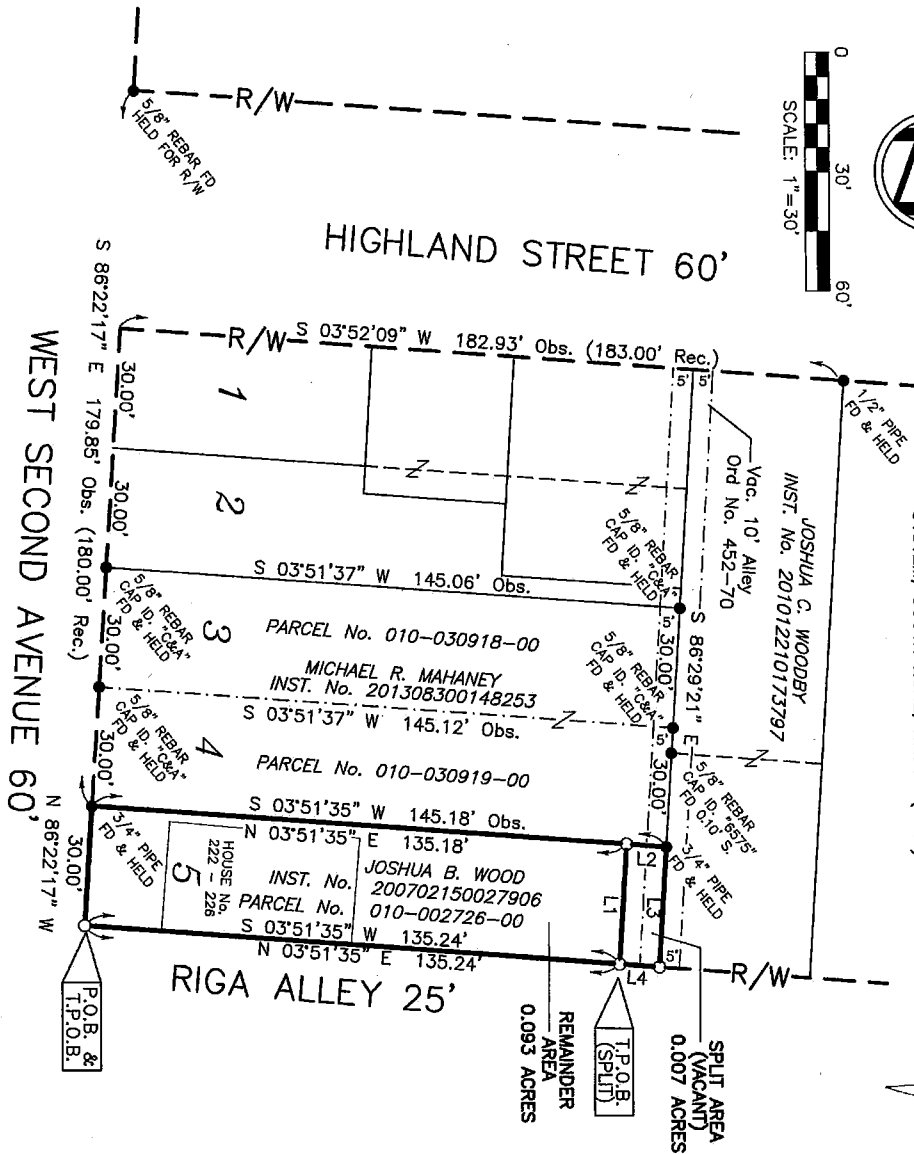
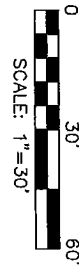
This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF COLUMBUS,  
ING LOT 5 OF LOUISA S. STEWART'S SUBDIVISION (P.B. 2, PG. 198)  
D PART OF A VACATED ALLEY (ORD. 452-70).

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS SURVEY IS  
GRID NORTH, OHIO STATE PLANE COORDINATE  
SYSTEM, SOUTH ZONE, NAD83 (2011).



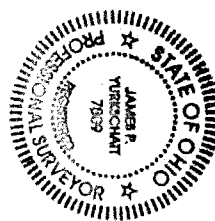
I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED IN  
ACCORDANCE WITH THE MINIMUM STANDARDS FOR BOUNDARY  
SURVEYS IN THE STATE OF OHIO AS DESCRIBED IN O.A.C.  
CHAPTER 4733-37.

JAMES P. YURISCHAK  
CAMPBELL & ASSOCIATES, INC.

REG. NO. 7809

DATE

9/12/2013



LINE	BEARING	DISTANCE
L1	N 86°29'21" W	30.00'
L2	N 03°51'35" E	10.00'
L3	S 86°29'21" E	30.00'
L4	S 03°51'35" W	10.00'

**LEGEND**

- REC. - RECORD
- CAL. - CALCULATED
- OBS. - OBSERVED
- P.O.B. - PLACE OF BEGINNING
- T.P.O.B. - TRUE PLACE OF BEGINNING
- - MONUMENT FOUND, SIZE & TYPE AS INDICATED.
- - 5/8" REBAR, 30 INCHES IN LENGTH, WITH I.D. CAP
- C&A SET

**FLOOD ZONE NOTE**

PROPERTIES SHOWN HEREON ARE LOCATED IN  
A FLOOD ZONE "X" WHICH IS NOT A FLOOD HAZARD  
AREA PER FIRM NO. 3904900307K.  
- EFFECTIVE REVISED DATE 6/17/2008

**BOUNDARY SURVEY**

WEST SECOND STREET  
COLUMBUS, OHIO 43201



CAMPBELL &  
ASSOCIATES, INC.  
Land Surveying

3465 Farthing Drive Suite 100  
Aren, Ohio 44312  
(330) 945-4117  
www.campbellsurvey.com

JOB NO.  
20130083  
SHEET 1 OF 1

DATE: Sept. 2013  
BY: DLG  
SCALE: 1" = 30'



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### PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

**THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED.**  
provided.

APPLICATION

**13310-00000-00744**  
**222-226 W. 2nd AVENUE**

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Michael R. Mahoney  
of (COMPLETE ADDRESS) 1499 Perry St, Columbus, OH 43201  
deposes and states that (he/she) is the APPLICANT, AGENT OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Joshua Wood

P.O. Box 16 Glenford, OH

SIGNATURE OF AFFIANT

[Signature]

Subscribed to me in my presence and before me this 7<sup>th</sup> day of October, in the year 2013

SIGNATURE OF NOTARY PUBLIC

Theresa M. Motz

My Commission Expires:

Feb. 16, 2014



Theresa M. Motz  
Notary Public, State of Ohio  
My Commission Expires 02-16-2014

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